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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)



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Applicant's or agent's file reference P044944PCT	<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/PEA/416)	
International application No. PCT/NL 02/00788	International filing date (day/month/year) 04.12.2002	Priority date (day/month/year) 23.01.2002
International Patent Classification (IPC) or both national classification and IPC D06L1/00		
Applicant FEYECON DEVELOPMENT & IMPLEMENTATION B.V.		

<p>1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 5 sheets, including this cover sheet.</p> <p><input checked="" type="checkbox"/> This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consist of a total of 3 sheets.</p>
<p>3. This report contains indications relating to the following items:</p> <p>I <input checked="" type="checkbox"/> Basis of the opinion</p> <p>II <input type="checkbox"/> Priority</p> <p>III <input type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p>IV <input type="checkbox"/> Lack of unity of invention</p> <p>V <input checked="" type="checkbox"/> Reasoned statement under Rule 66.2(a)(iii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p>VI <input type="checkbox"/> Certain documents cited</p> <p>VII <input type="checkbox"/> Certain defects in the international application</p> <p>VIII <input type="checkbox"/> Certain observations on the international application</p>

Date of submission of the demand  11.08.2003	Date of completion of this report  23.04.2004
Name and mailing address of the international preliminary examining authority:  European Patent Office - P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Tx: 31 651 epo nl Fax: +31 70 340 - 3016	Authorized Officer  Rasmusson, R  Telephone No. +31 70 340-4374 

**INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT**

International application No. PCT/NL 02/00788

**I. Basis of the report**

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

**Description, Pages**

1-15 as originally filed

**Claims, Numbers**

1-10 received on 24.02.2004 with letter of 24.02.2004

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).  
☐ the language of publication of the international application (under Rule 48.3(b)).  
☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.  
☐ filed together with the international application in computer readable form.  
☐ furnished subsequently to this Authority in written form.  
☐ furnished subsequently to this Authority in computer readable form.  
☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.  
☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:  
☐ the claims, Nos.:  
☐ the drawings, sheets:

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).

*(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)*

6. Additional observations, if necessary:

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**V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;  
citations and explanations supporting such statement**

**1. Statement**

Novelty (N)	Yes: Claims	1-10
	No: Claims	
Inventive step (IS)	Yes: Claims	1-10
	No: Claims	
Industrial applicability (IA)	Yes: Claims	1-10
	No: Claims	

**2. Citations and explanations**

**see separate sheet**

**Re Item V**

**Reasoned statement under Article 35(2) with regard to novelty,  
inventive step or industrial applicability; citations and explanations  
supporting such statement**

1. The following document will be referred to in this communication:

D1: US-A-5676705

2. Novelty (A. 33(2) PCT).

D1 is considered to be the closest prior art.

D1 discloses a dry cleaning method involving densified carbon dioxide and 0.001-10% by wt. of an ionic surfactant (claim 1), a temperature in the range 20-60°C and a pressure in the range 800-6000 psi (see col 3, lines 59-64). Step b) as given in present claim 1 is an implicit feature of all dry cleaning methods.

D1 further discloses (claim 1) that the surfactant is soluble in the densified carbon dioxide. Hence, the subject-matter of present claim 1 differs from the method of D1 in that at least 10% of the ionic surfactant is present in an undissolved solid form.

Therefore, the subject-matter of claim 1 and of the dependent claims 2-10 is novel.

3. Inventive step (A. 33(3) PCT).

The difference referred to under section 2 leads to the technical effect of increased cleaning efficiency (p. 2, lines 25-34 and examples). Hence, the objective problem is to improve the cleaning efficiency of a dry cleaning method using densified carbon dioxide. No document in the prior art discloses or suggests that the presence of undissolved ionic surfactants give rise to this effect. Therefore, it is not obvious for a person skilled person starting from D1 and confronted with the objective problem to arrive at the subject-matter of claim 1. An inventive step is therefore acknowledged to

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the subject-matter of claim 1 and the dependent claims 2-10.

4. Industrial applicability (A. 33(4) PCT).

The subject-matter of the above mentioned claims is considered as industrially applicable and these claims therefore fulfill the requirements of A. 33(4) PCT.